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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 ELSTON CASTILLO,)
09) CASE NO. C12-0502-MJP-MAT
Petitioner,)
10)
v.) ORDER DENYING PETITIONER'S
11) MOTION FOR APPOINTMENT OF
ICE FIELD OFFICE DIRECTOR,) COUNSEL
12)
Respondent.)
_____)

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14 Having considered petitioner's Motion for Appointment of Counsel, the Court hereby
15 DENIES the motion. There is no right to have counsel appointed in cases brought under 28
16 U.S.C. § 2241 unless an evidentiary hearing is required, because they are civil, not criminal, in
17 nature. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988); *see also Brown v.*
18 *Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); Rule 8(c) of the Rules Governing Section 2254
19 Cases in the United States District Courts. The Court may exercise its discretion to appoint
20 counsel for a financially eligible individual where the "interests of justice so require." 18
21 U.S.C. § 3006A.

22 Petitioner fails to demonstrate that the interests of justice are best served by the

01 appointment of counsel in this matter. Moreover, upon review, it appears petitioner has been
02 able to successfully articulate his claims thus far. If the Court later requires an evidentiary
03 hearing, then counsel will be appointed, assuming petitioner meets the indigency requirement.

04 The Clerk shall send a copy of this Order to petitioner and to the Honorable Marsha J.
05 Pechman.

06 DATED this 4th day of April, 2012.

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08 
09 Mary Alice Theiler
United States Magistrate Judge